

1 EDMUND G. BROWN JR.
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 KAREN R. DENVIR
Deputy Attorney General
4 State Bar No. 197268
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5333
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010 - 193

13 **KRISTIN OBANNI,**
a.k.a. **KRISTIN HELEN OBANNI**
14 **2821 West 85th Street**
Bloomington, MN 55431

A C C U S A T I O N

15 **Registered Nurse License No. 527322**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 2. On or about October 11, 1996, the Board issued Registered Nurse License Number
23 527322 to Kristin Obanni, also known as Kristin Helen Obanni ("Respondent"). Respondent's
24 registered nurse license was in full force and effect at all times relevant to the charges brought
25 herein and will expire on January 31, 2010, unless renewed.

26 **STATUTORY PROVISIONS**

27 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
28 the Board may discipline any licensee, including a licensee holding a temporary or an inactive

1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811, subdivision
6 (b), the Board may renew an expired license at any time within eight years after the expiration.

7 5. Code section 2761 states, in pertinent part:

8 The board may take disciplinary action against a certified or licensed
9 nurse or deny an application for a certificate or license for any of the following:

10 (a) Unprofessional conduct . . .

11 6. Code section 2762 states, in pertinent part:

12 In addition to other acts constituting unprofessional conduct within the
13 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a
14 person licensed under this chapter to do any of the following:

15

16 (b) Use any controlled substance as defined in Division 10 (commencing
17 with Section 11000) of the Health and Safety Code, or any dangerous drug or
18 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or
19 in a manner dangerous or injurious to himself or herself, any other person, or the
20 public or to the extent that such use impairs his or her ability to conduct with safety to
21 the public the practice authorized by his or her license . . .

22 COST RECOVERY

23 7. Code section 125.3 provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licensee found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case.

27 CONTROLLED SUBSTANCE AT ISSUE

28 8. "Vicodin" is a compound consisting of 5 mg hydrocodone bitartrate, also known as
dihydrocodeinone, and 500 mg acetaminophen per tablet, and is a Schedule III controlled
substance as designated by Health and Safety Code section 11056, subdivision (e)(4).

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CAUSE FOR DISCIPLINE

**(Use of Controlled Substances and Alcoholic Beverages to an Extent
or in a Manner Dangerous or Injurious to Oneself and Others)**

9. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762, subdivision (b), in that Respondent used the controlled substance Vicodin and alcoholic beverages to an extent or in a manner dangerous or injurious to herself and others and to the extent that such use impaired her ability to conduct her nursing duties safely, as follows: In or about September 2001, Respondent was admitted to Crutcher's Serenity House, a residential treatment facility, due to her drinking problem. Respondent completed 28 days of in-patient treatment. A short while after she was discharged, Respondent relapsed and began drinking again. In or about August 2004, while employed as a registered nurse at Memorial Medical Center ("MMC"), Modesto, California, Respondent would drink before arriving at MMC to work her scheduled shift (7 a.m. to 7 p.m.). Respondent would consume "around 18 beers" in a short period of time. On or about August 5, 2004, or August 6, 2004, Respondent was drunk while on duty in the intensive care unit at MMC and had also consumed her prescribed Vicodin. Respondent was confronted by MMC staff about her suspicious behavior and was asked to provide a urine specimen for alcohol and/or drug screening. Respondent refused to provide a urine specimen because she knew that she would test positive for alcohol and Vicodin. In and between August and September 2004, Respondent spent approximately 30 days in an in-patient treatment program at Maynard's Chemical Dependency Recovery Center. In or about September 2004, Respondent self-reported to the Board's Diversion Program. Respondent completed approximately 10 months of the Diversion Program, but discontinued her participation in the program when she was advised that her urine specimen tested positive for alcohol. In or about April 2007, Respondent relapsed and began drinking again.

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PRAYER

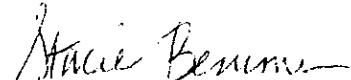
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 527322, issued to Kristin Obanni, also known as Kristen Helen Obanni;

2. Ordering Kristin Obanni, also known as Kristen Helen Obanni, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 10/7/09

for 
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant